



PATENT APPLICATION

#10
Elec.
06.26.03
RECEIVED
JUN 25 2003
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrice ANDRE et al.

Group Art Unit: 1648

Application No.: 10/031,439

Examiner: S. Brown

Filed: February 25, 2002

Docket No.: 111737

For: METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE *TOGAVIRIDAE* AND
FLAVIVIRIDAE FAMILIES AND USES

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 3, 2003 Restriction Requirement, Applicants provisionally elect
Group I, claims 1-15 and 17-18, with traverse.

Claim 1 recites the special technical feature "at least one LVP fraction obtained from
serum or from plasma of a patient infected with at least one virus belonging to the
Togaviridae or *Flaviviridae* families, and said fraction is brought into contact with
permissible cells for a predetermined period of time in a suitable culture medium containing
an activating agent." Each of the claims of Group II (claim 19), Group III (claims 20-22) and
Group V (claim 24) depend from claim 1, and thus also recite this special technical feature.
Accordingly, at least the claims of Group II, III and V (claims 19-22 and 24) should be
examined with Group I.

It is also respectfully submitted that the subject matter of all claims 1-24 is
sufficiently related that a thorough search for the subject matter of any one Group of claims
would encompass a search for the subject matter of the remaining claims. Thus, it is

respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted:


William P. Berridge
Registration No. 30,024

Philip A. Caramanica, Jr.
Registration No. 51,528

WPB/PAC:amw

Date: June 24, 2003

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--